

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

PATRICIA SPALETTA (CABN 156788)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 552-6031
Facsimile: (415) 436-7234
Patricia.Spaletta@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|-------------------------------|---|---|
| UNITED STATES OF AMERICA, |) | No. CR 10-0256 MHP |
| |) | |
| Plaintiff, |) | STIPULATION AND [PROPOSED] ORDER |
| |) | EXCLUDING TIME UNDER 18 U.S.C. § 3161 |
| v. |) | |
| |) | |
| CARLOS ALEJANDRO GARZA-LOPEZ, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

The parties appeared before the Honorable Bernard Zimmerman on April 8, 2010. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from April 8, 2010 to April 19, 2010, in light of the need for defense counsel to review discovery and to conduct further investigation. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking

1 into account the exercise of due diligence and the need for counsel to review discovery and to
2 conduct further investigation.

3 2. Given these circumstances, the Court found that the ends of justice served by excluding
4 the period from April 8, 2010 to April 19, 2010, outweigh the best interest of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from
7 April 8, 2010 to April 19, 2010, be excluded from the Speedy Trial Act calculations under 18
8 U.S.C. § 3161(h)(7)(A) and (B)(iv).

9
10 SO STIPULATED:

11
12 JOSEPH P. RUSSONIELLO
United States Attorney

13
14 DATED: April 8, 2010

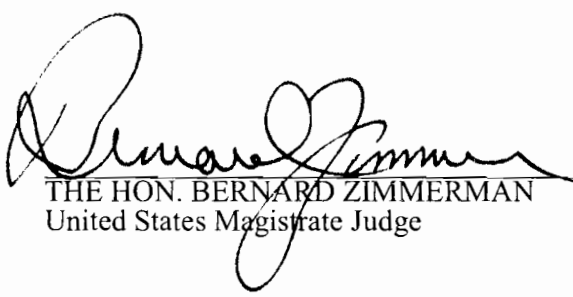
15 /s/
PATRICIA SPALETTA
Assistant United States Attorney

16
17 DATED: April 8, 2009

18 /s/
Elizabeth Falk
Counsel for Carlos Alejandro Garza-Lopez

19
20 SO ORDERED.

21
22 DATED: 9/10/10

23 
THE HON. BERNARD ZIMMERMAN
United States Magistrate Judge